

AGENDA MEMO

CITY COUNCIL MEETING OF: DECEMBER 2, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-36124 - APPLICANT/OWNER: UNITY BAPTIST CHURCH

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-36136), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan date stamped 10/07/09 and building elevations, date stamped 10/06/09, except as amended by conditions herein.
4. A Waiver from Title 19.12 Landscape and Buffer Standards is hereby approved, to allow a 10-foot Landscape Buffer along a portion of the west perimeter buffer where 15 feet is required.
5. The applicant shall work with City staff to determine the most appropriate mapping action necessary to consolidate all existing parcels. The mapping action shall be completed and recorded prior to issuance of any building permits.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Coordinate with the City Surveyor to determine if a Reversionary Map or other lot consolidation is necessary prior to the approval of construction drawings; comply with the recommendations of the City Surveyor. [No structure shall be allowed to be built over a property line and all required parking must be on the same lot as the primary structure.](#)
15. Construct all incomplete half-street improvements on Marion Drive adjacent to this site concurrent with development of this site.
16. Remove the western most driveway on Diamond Head Drive and replace with curb, gutter, and sidewalk. Also remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
17. Provide a copy of a recorded Joint Access Agreement between the parcels that comprise this site prior to the issuance of any permits, unless the parcels are legally joined into one parcel.
18. Each parcel must have its own lateral connection to public sewer.

19. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing a 48,816 square-foot addition to an existing 8,000 square-foot Church/House of Worship at 545 Marion Drive. The proposed addition will extend onto an undeveloped lot to the south, and will provide a new sanctuary and associated facilities for the existing Unity Baptist Church. The applicant has requested a Waiver of Title 19.12 Landscape and Buffer Standards. The addition substantially complies with Title 19 requirements except for the requested Waiver. The Waiver is minor in nature and is mitigated by the additional landscaping added around the perimeter of the site; therefore, staff is recommending approval of this request. If denied, the proposed addition would not be permitted and the existing Church/House of Worship would remain.

Issues:

- A new 48,816 square-foot Church/House of Worship is proposed.
- The applicant has requested a Waiver of Title 19.12 Landscape and Buffer Standards to allow a 10-foot buffer along a portion of the west buffer where 15 feet is required.
- A condition of approval has been added to require that the subject site be remapped to consolidate the two lots.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|---|---|
| A change of ownership has not occurred on the subject site. | |
| The County Assessor's site indicates a construction date of 1983. | |
| 10/03/79 | The Board of City Commissioners approved a Rezoning (Z-0091-79) from R-E (Residence Estates) to R-1 (Single Family Residential) on 4.17 acres adjacent to the southeast corner of Marion Drive and Diamond Head Drive. The Planning Commission and staff recommended approval of the request. |
| 04/18/84 | The City Council approved an Extension of Time of an approved Rezoning (Z-0017-84) from R-E (Residence Estates) to R-CL (Residential Compact-Lot) on 4.17 acres adjacent to the southeast corner of Marion Drive and Diamond Head Drive. The Planning Commission and staff recommended approval of the request. Rezoning (Z-0017-84) expired on 04/18/86. |
| 03/09/05 | A Code Enforcement citation (#26949) was issued for illegal construction equipment at 545 Marion Drive. Code Enforcement closed the case on 03/10/05. |

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|---|---|
| 02/15/06 | The City Council will hear a related Site Development Plan Review (SDR-10460) for a 54 space Parking Lot and Waivers of the Perimeter and Parking Lot Landscaping requirements at 545 Marion Drive. The Planning Commission recommended approval, but staff recommended denial of the request. |
| 11/05/09 | The Planning Commission recommended approval of companion item SUP-36136 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #46/bts). |
| <i>Related Building Permits/Business Licenses</i> | |
| 05/08/98 | A Building Permit (#98009795) was issued for a sign at 545 Marion Drive. The permit was finalized on 11/10/98. |
| 06/16/99 | A Building Permit (#99011908) was issued for a 2,128 square-foot addition to an existing Church/House of Worship at 545 Marion Drive. The permit was finalized on 10/08/99. |
| <i>Pre-Application Meeting</i> | |
| 09/08/09 | A pre-application meeting was held on the indicated date. The following items were discussed at the meeting: <ul style="list-style-type: none"> • Reversionary map would be required for the two parcels on the site. • All landscaping is required to be brought into conformance with Title 19.12 requirements or Waivers would be required. • The proposed addition and potential residential adjacency issues. |
| <i>Neighborhood Meeting</i> | |
| A neighborhood meeting is not required, nor was one held. | |
| <i>Field Check</i> | |
| 10/01/09 | A field check was completed on the indicated date. The following items were noted: <ul style="list-style-type: none"> • Staff noted the existing Church/House of Worship. • Staff noted the vacant area for the proposed addition to the existing Church/House of Worship. |

| | |
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| <i>Details of Application Request</i> | |
| <i>Site Area</i> | |
| Net Acres | 4.17 acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|---|-------------------------------------|---------------------------------|
| Subject Property | Church/House of Worship and Undeveloped | ML (Medium Low Density Residential) | R-E (Residence Estates) |
| North | Single-Family Dwellings | ML (Medium Low Density Residential) | R-CL (Residential Compact-Lot) |
| South | Single-Family Dwellings | L (Low Density Residential) | R-1 (Single Family Residential) |

| | | | |
|------|-------------------------|-------------------------------------|---------------------------------|
| East | Single-Family Dwellings | ML (Medium Low Density Residential) | R-CL (Residential Compact-Lot) |
| West | Single-Family Dwellings | L (Low Density Residential) | R-1 (Single Family Residential) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | X | |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | X | N/A |
| Trails | | X | N/A |
| Rural Preservation Overlay District | | X | N/A |
| Development Impact Notification Assessment | | X | N/A |
| Project of Regional Significance | | X | N/A |

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 Development Standards, the following standards apply:

| <i>Standard</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|-------------------------------|-------------------------|----------------------|-------------------|
| Min. Lot Size | 20,000 SF | 4.17 acres | Y |
| Min. Lot Width | 100 Feet | 295 Feet | Y |
| Min. Setbacks | | | |
| • Front (north property line) | 50 Feet | 183 Feet | Y |
| • Side (east property line) | 10 Feet | 56.3 Feet | Y |
| • Corner (west property line) | 15 Feet | 84.1 Feet | Y |
| • Rear (south property line) | 35 Feet | 141.9 Feet | Y |
| Max. Lot Coverage | N/A | 31.2% | N/A |
| Max. Building Height | 2 stories or 35 Feet | 2 stories 35 feet | Y |
| Trash Enclosure | Screened | Screened | By Condition |
| Mech. Equipment | Screened | Screened | By Condition |

Pursuant to Title 19.08.060, the following standards apply:

| <i>Residential Adjacency Standards</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|--|-------------------------|-----------------|-------------------|
| 3:1 proximity slope | 105 Feet | 128 Feet | Y |
| Adjacent development matching setback | 10 Feet | 57.25 Feet | Y |

Pursuant to Title 19.12, the following landscaping standards apply:

| Landscaping and Open Space Standards | | | | |
|---|------------------------|--------------|-----------------|-------------------|
| Standards | Required | | Provided | Compliance |
| | Ratio | Trees | | |
| Parking Area | 1 Tree/ 6 Spaces | 36 Trees | 37 Trees | Y |
| Buffer: | | | | |
| Min. Trees | | | | |
| North property line | 1 Tree/ 20 Linear Feet | 12 Trees | 14 Trees | Y |
| South property line | 1 Tree/ 20 Linear Feet | 15 Trees | 15 Trees | Y |
| West property line | 1 Tree/ 20 Linear Feet | 27 Trees | 32 Trees | Y |
| East property line | 1 Tree/ 20 Linear Feet | 31 Trees | 31 Trees | Y |
| TOTAL | | 85 Trees | 92 Trees | Y |
| Min. Zone Width | | | | |
| North property buffer | 15 Feet | | 15 Feet | Y |
| South property buffer | 8 Feet | | 8 Feet | Y |
| West property buffer | 15 Feet | | 10 Feet | N |
| East property buffer | 8 Feet | | 8 Feet | Y |
| Wall Height | 6-8 Feet | | 6 Feet | Y |

Pursuant to Title 19.10, the following parking standards apply:

| Parking Requirement | | | | | | | |
|-------------------------|--|-------------------------------------|---------|--------------|----------|--------------|------------|
| Use | Gross Floor Area or Number of Units | Required | | | Provided | | Compliance |
| | | Parking Ratio | Parking | | Parking | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Church/House of Worship | 56,816 SF (includes 250 existing seats and 600 proposed seats) | One space for each four fixed seats | 208 | 7 | 208 | 7 | Y |
| TOTAL | | | 215 | | 215 | | Y |

| Waivers | | |
|---|--|-----------------------------|
| Request | Requirement | Staff Recommendation |
| 10-foot landscape buffer along a portion of the west perimeter buffer | 15-foot landscape buffer along the west perimeter buffer | Approval |

ANALYSIS

- **Site Plan**

The Unity Baptist Church is located on a 4.17 acre site at 545 Marion Drive. The existing site is divided into two separate parcels. A condition of approval has been added requiring a reversionary map to be completed prior to issuance of building permits. The site plan indicates an existing 8,000 square-foot Church/House of Worship, which includes 250 existing seats and a proposed 48,816 square-foot addition with 600 seats. The overall square-footage totals 56,816 square feet. The applicant is proposing a total of 213 parking spaces, which is adequate for both the existing and proposed Church/House of Worship use. The applicant indicates that phasing of the project will occur. The first phase will include; the sanctuary, offices, classrooms, and site work. The second phase will include the classrooms. The third phase will include a fellowship hall. Finally, the fourth phase will include a covered courtyard.

The overall site is accessed from both Diamond Head Drive and Marion Drive. Diamond Head Drive is a 60-foot Local Street and Marion Drive is an 80-foot Secondary Collector as indicated on the Master Plan of Streets and Highways.

- **Landscape Plan**

A portion of the overall site contains existing landscaping, which was installed with the completion of the existing Church/House of Worship. Since the applicant is constructing a new Church/House of Worship, all landscaping is required to be brought into conformance pursuant to Title 19.12 requirements. The overall site has been brought into conformance, except for the west perimeter landscape buffer. The applicant has requested a Waiver of Title 19.12 Landscape and Buffer Standards to allow a 10-foot buffer along portions of the west perimeter buffer where 15 feet is the minimum required. Staff is supporting this Waiver request as it is minor in nature, and will be mitigated by additional landscaping in the perimeters of the site.

- **Elevations**

The elevations indicate an existing 25-foot tall Church/House of Worship. The proposed addition is indicated at a height of 35 feet at two stories. Portions of the new Church/House of Worship project beyond the permitted 35-foot height requirement. Pursuant to Title 19.08 Development Standards, institutional symbols for Churches/House of Worship may extend into any required setback area, provided that they are clearly shown as a part of a Site Development Plan Review, thereby making the steeple and crosses conforming to Title 19.08 requirements.

- **Floor Plan**

There is a first and second floor plan for the proposed Church/House of Worship. The first floor plan indicates uses that are divided into classrooms, sanctuary, offices and a fellowship hall. The second story indicates balcony seating and additional classrooms.

FINDINGS

The following findings must be made for an SDR:

1. The proposed development is compatible with adjacent development and development in the area;

The proposed addition to the existing Church/House of Worship complies with residential adjacency requirements and is adequately landscaped, thereby being compatible with adjacent development and development in the area.

2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

The proposed development fails to meet all Perimeter Landscape Buffer standards, but the requested Waiver is minimal in nature. The remainder of the on-site landscaping meets or exceeds minimum requirements.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

The proposed addition to the existing Church/House of Worship is accessed from Diamond Head Drive and Marion Drive. Diamond Head Drive is a 60-foot Local Street and Marion Drive is an 80-foot Secondary Collector as indicated on the Master Plan of Streets and Highways, which will provide adequate access to the site.

4. Building and landscape materials are appropriate for the area and for the City;

The proposed landscape materials, as conditioned, are appropriate for the area and for the City.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed building elevations will be harmonious with the existing Church/House of Worship and will be compatible with adjacent residential developments by adhering to residential adjacency requirements.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed addition to the existing Church/House of Worship will be subject to final Building and Safety and Planning and Development inspections; therefore this development will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission amended condition #14 to which the applicant agreed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED

553 by City Clerk

APPROVALS

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PROTESTS

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